

# Restorative Justice Grant Progress Report

October 1, 2013 through December 31, 2013

Grant Number: A-YIP-2012-CLAYAO-00005

The Clay County Restorative Justice Program provides services to a community of people most affected by wrongdoing in juvenile incidents of crime - victims and their supporters, offenders and their supporters, and representatives of the community. The Restorative Justice Programs facilitates the resolution of the criminal or harmful incident through a variety of conferencing models. One full-time Restorative Justice Facilitator works with referral sources, including area schools, law enforcement, probation and the court system. RJP provides restorative justice as a diversion option or disposition in a criminal case.

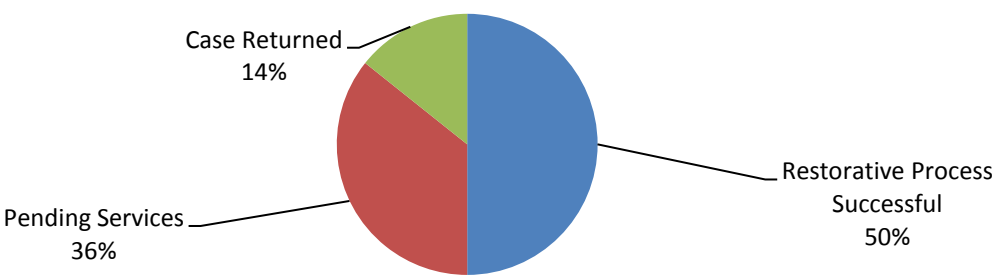
During this grant quarter, the Restorative Justice Program (RJP) facilitated twenty-eight (28) juvenile offender cases. Currently, 17 cases are open and 11 have closed. Roughly a total number 110 client contacts were made to offenders, offender supporters, victims, community volunteers and community/agency representatives.

From October 1, 2013 until December 31, 2013, juvenile offenders identified being Male at 50% and Female at 50%. The average age of offenders was 13.28 years. The program worked with juveniles who identified as the following: 68% White, 11% Black/African American, 14% Native American, and 7% Multi-Racial. Regarding ethnicity, of the 28 offenders, 25% were Hispanic/Latino.

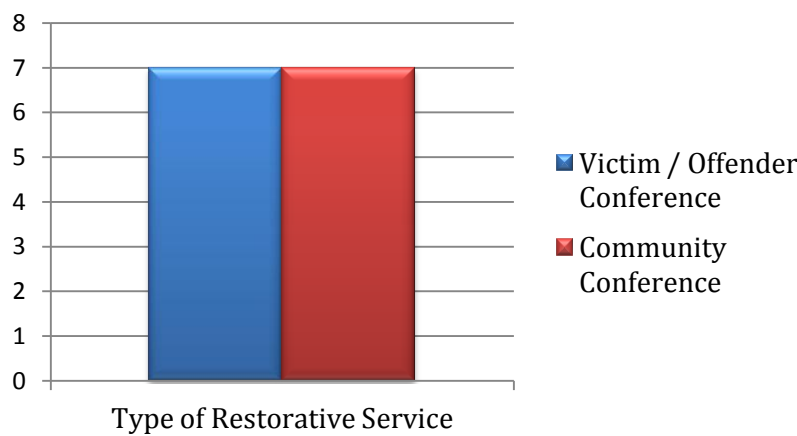
Referrals to the program were primarily diversion, at 64%. Of all the cases receiving services this quarter, 24 juveniles (86%) resulted in being appropriate for the restorative process. Of the 24 juveniles, 14 have already met face-to-face with the affected victims and/or community members and came to a formal agreement. Four juveniles (14%) were returned to the referring source because the offender was not appropriate for the program, made no attempt to contact the program, or the offender did not fully complete the program.

**See Figure 1.**

**Figure 1: Restorative Justice Program Results**



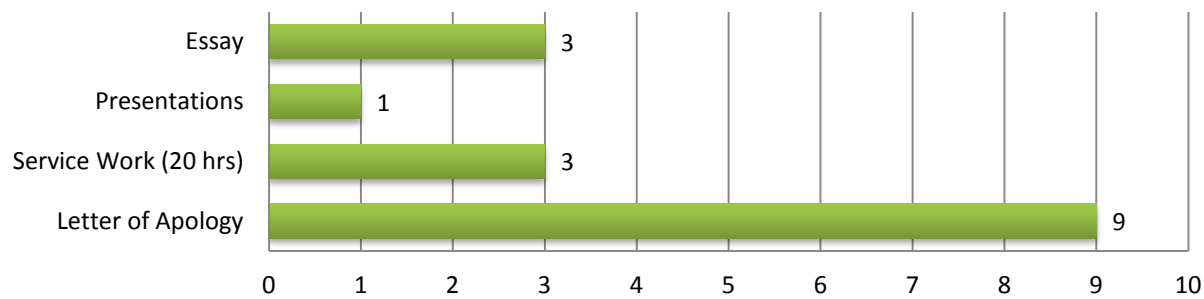
**Fig. 2: Restorative Conferences**



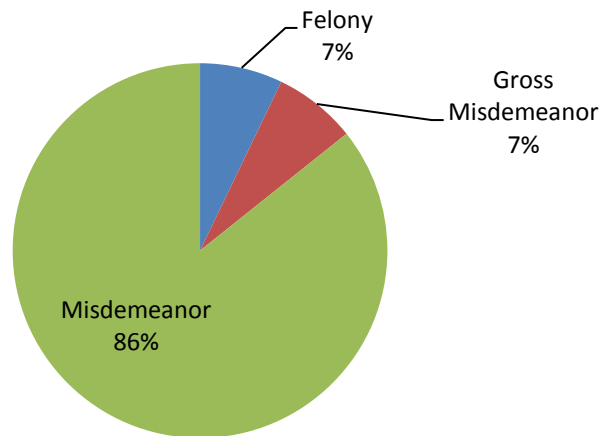
**Figure 2** describes the type of restorative processes provided this grant quarter. Several cases utilized the Community Conference Model, 50%, and the remaining, 50% included a Victim/Offender Conference. The RJP has scheduled more Victim/Offender Conferences during this grant quarter, which was a goal of the program.

A total of 9 participants wrote at least one letter of apology, several juvenile offenders wrote multiple letters. No restitution was required per agreement this grant quarter. **Figure 3** outlines the breakdown of the basic agreement conditions.

**Figure 3: Agreement Conditions**



**Figure 4: Level of Offense**

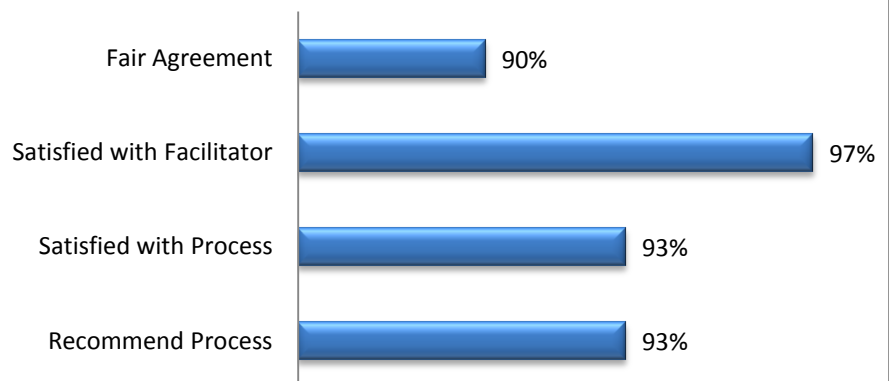


During this quarter, of the twenty cases that were provided services in the RJP, 24 cases were a misdemeanor offense level and 2 were a gross misdemeanor and 2 felony offense level.

**See Figure 4.**

Evaluations were completed post-conference. **Figure 5** reflects the information gained from the evaluations. The information provided shows the positive feedback that the RJP receives from participants.

**Figure 5: Client Evaluations**



I. STAFFING

No staffing changes during this grant quarter.

II. BARRIERS

The focus of the RJP over the last three months was for Lindsey to implement the training and education she has been receiving. The RJP continued to be in contact with Joel Friesz, Director of Lutheran Social Services (LSS) of ND Restorative Justice Program, to assist in answering questions and guiding Lindsey. The RJP and LSS will continue to work closely to collaborate, offer assistance and feedback.

Some changes have come during this last quarter regarding meeting space and the Community Circle process. Lindsey decided to move the meeting site to a more neutral location, from the Moorhead Police Department over to the Family Service Center Building. Some families had provided feedback that it was not always comfortable for them to meet at the law enforcement center, so Lindsey took that feedback and found a solution. Community Circle has typically taken place around a large conference table with the offender and their support on one side, and the community volunteers across from them. Lindsey did not always feel like this was the most beneficial way to communicate and after attending trainings on the Circle Process, she adapted the meetings to be conducted with everyone sitting on chairs in a circle. The volunteers were not very comfortable with this process in the beginning, but were willing to try it out and they are enjoying the change.

Scheduling pre-meetings and conferences at times presents a challenge because of coordinating with each person's schedule. Lindsey has chosen to set aside Monday and Thursday nights to accomplish these meetings. This make it easy for volunteers to know when to anticipate Community Circle and it allows participants a few evening options to schedule meetings.

Activities	Projected (1/1/12 – 12/31/13)	Actual (to date)
Receive case referrals and determine appropriate restorative services	350	202
Provide Victim/Offender Conferences with appropriate referrals	123	50
Provide Community Conferences with appropriate referrals	140	80
Return cases to referral source that do not result in a restorative process	87	41
Monitor progress toward completion of all agreement conditions	263	140
Cases pending		9

### III. PARTICIPANT FEEDBACK

Lindsey continues to take a very active role in being involved in several committees focused on youth in our community. The RJP continues to be involved in the juvenile justice system and follows cases in hopes of having restorative justice ordered as a disposition. Lindsey and the Assistant County Attorney collaborate

daily on cases that may be appropriate diversion referrals. She also has an opportunity to connect with victims early on in the process which allows her to explain restorative justice. The timeframe from referral to conference has been significantly shortened and Lindsey is connecting with the referral sources, providing more detailed outcomes. Here are a few statements provided by RJP participants about what they found most satisfying about the process:

- *“That they were talking to me and they were helping me now to solve the problem.”*
- *“Lindsey is great! Very compassionate and understanding.”*
- *“To was satisfying to see the emotions and to be a part of the decision making process.”*
- *“The victim was not able to come so I thought it was GREAT to have volunteers. They asked a lot of good questions that made him (my son) think.”*
- *“Glad there is a program like this for young offenders instead of making them go through the court system. I know after this process he (son) does realize he did wrong and it affected more than just him.”*
- *“Being able to impact a child’s life to make better choices in the future.”*
- *“I’m so thankful for the turn out and agreement, everyone was calm and understanding.”*

#### IV. STORYTELLING

##### **CASE REVIEW 1**

**Offense Date:** 9/7/13      **Offender:** Male      **Name:** Thomas      **Age:** 14  
**Offense:** Disorderly Conduct      **Victim:** Kate – School Bus Driver

The following case review is about a Disorderly Conduct incident that occurred on a local school bus. The youth referred to the program, Thomas, opened the Emergency Exit Only door on the back of the school bus as it was at a stop, jumped out, and ran.

Thomas was referred to the Restorative Justice Program by the Moorhead Police Department. The referral was received on September 23, 2013. The case was closed on December 31, 2013.

**Initial Contacts:** One week after the initial letters were sent to both the youth & victim, I made phone contact with both parties involved.

Initial phone contact was made to the youth’s mother, Anita. We talked about the incident and about the program. She was willing to set up a time to meet so that I

could introduce myself to Thomas, discuss the incident, and talk about the Restorative Justice Program. Our pre-meeting date was scheduled for October 9<sup>th</sup>.

I connected with Richard's Transportation about the incident, was able to connect with the school bus driver Kate. We talked about the incident, and decided to meet in person so that we could talk more about the details of the incident, and so that I could explain the restorative justice process with her. Our pre-meeting date was scheduled for October 8<sup>th</sup>.

**Pre-Meetings:** I met with Kate and spent time getting to know her, how long she has been driving school bus, and also learned about her family. We began talking about the incident, and she said that her main concern was that Thomas could have been seriously hurt, and that's her main concern with all the kids on the bus. She said she was told that Thomas was dared by his friends to open the exit, and jump out. She continued to talk about how there is a particular group of middle school boys who seem to always cause conflict on the bus by swearing, talking inappropriately, and breaking the rules of the bus. Kate said she takes her job very seriously, and said she is very strict and doesn't let the rules on her bus get broken without consequence. She said after the incident occurred Thomas wasn't able to ride the bus for a few days as he was suspended from it. She said the other children were asking about where he was and how much trouble he was in. Kate said she told them that she wasn't sure for the approximate length of time but did express that the incident was very dangerous and shouldn't have happened. She said she also told the children about a time her son was in trouble on the bus, and couldn't ride. Kate said she was willing to meet with Thomas and his mom. She said she would not be bringing anyone with her to the meeting. We talked about creating an Accountability Agreement, and discussed some of the potential options.

**Offender Pre-Meeting:** On October 9<sup>th</sup> I met with Thomas and his mother. I began getting to know Thomas by asking him questions about his family, his hobbies, and school. He was very quiet, but as we continued talking he seemed to open up more. I explained to him who I was, and I explained the restorative justice process. I asked him if he would share the story about what happened with me, and he did. He said his friends dared him to do it, and the bus was stopped so he didn't feel like it was a big deal. He said he ran home. He began talking about Kate and said she was mean, and she yelled at them. He said she always made them sit in certain spots & they couldn't do anything on the bus. His mom, Anita, added in that she had heard that Kate was talking about Thomas when he was suspended from the bus and she wasn't real happy about it. I asked her who she heard that from, and she said a friend of Thomas had mentioned it. I explained that through this process, Anita would be able to ask those questions. Also, I explained to Thomas that he could share some of his

feelings with the other party as well. We talked about the Accountability Agreement, and some potential options. Anita & Thomas said they would be willing to move forward with a conference.

\*Due to the incident, and some of the concerns at the pre-meetings. I did several follow-up phone calls in preparation for the conference.

**Accountability Conference:** Conference was planned for October 28<sup>th</sup>, 2013.

Kate arrived early, I greeted her and brought her to the room where the conference would take place. We sat together and talked briefly about her day and how she was doing. She appeared to be pretty relaxed, and seemed to be ready to move forward with the conference. I told her I would be right back as I was going to wait for Anita & Thomas to arrive. I greeted Anita & Thomas at the door, and took a few minutes to check in with them. Thomas appeared to be nervous, but I asked him if he was ready to begin the conference and he said yes. I then brought them into the room where Kate was waiting.

You could feel the tension in the room, no one said anything, and little eye contact was made. I began the meeting by thanking the participants for coming, asking each person to introduce themselves, and discussing guidelines for the conference. After all was done, I asked Kate who she would like to speak first.

Kate began talking. She talked about that day on the bus, and when Thomas opened the door & jumped out. She said she feared he would get hurt by jumping out, or be hit by a car. She said that they used to have riders exit the bus that way, as an Emergency Drill. She said too many kids would get hurt (even when they sat down before jumping out), so they quit doing the drills like that. She then talked about her job- how she takes it seriously, and how much it means to her. Not only how much the job means to her, but how much each child means to her. When she said this, Thomas looked up at her. Kate's voice seemed to get shaky as she told Thomas that she cares for each person on her bus, and while they are on there, they are like her own children. Kate spoke for a long time, and Thomas didn't say anything. Kate shared with Thomas why she makes some kids sit in assigned seats. She stated that when children are breaking the rules, she puts them in an assigned seat so that she can keep track of them more easily. She explained to Thomas that if he would follow the rules of the bus, he would be free to sit where he pleased. She emphasized again that it is her job to get children home safely and the rules on the bus are for their safety.

When she was quiet, Thomas talked about how his friends bet him to do it. Kate & Thomas had a conversation about the friends Thomas spoke of. They both decided it

was probably best if Thomas didn't listen to them or take on any of their bets anymore. Thomas said it was dumb, and he wished he wouldn't have done it.

Anita said that she felt upset because she thought that Kate was telling the other kids too much information on the bus when Thomas got suspended from riding for a few days. Kate shared the information she shared with the kids on the bus, about an incident her son went through. She stated that she did not, in any way, share information that shouldn't have been shared with the riders. The conversation continued for a period of time, towards the end Thomas smiled at Kate, which was the first time throughout the conference. Together they worked out an Accountability Agreement. Thomas agreed to complete 10 hours of Community Service Work (CSW), and "set an example" for the other kids on the bus. He had agreed to set an example & complete his CSW until the end of December.

In closing, I thanked participants and told them that we would do a final go around to share any last minute thoughts or feelings that they hadn't yet shared. Kate thanked Thomas for being a part of this process, and told him she was hopeful that an incident like this wouldn't happen again. Thomas was quiet and didn't seem to have anything to add, however as I was going to ask Anita if she had anything final to share Thomas said "Sorry" as he looked at Kate. Kate looked back at Thomas and said that she accepted his apology. The conference ended shortly after.

**Outcome:** Thomas worked hard to complete his 10 hours of CSW at a local thrift store. I had several phone calls with Kate about Thomas' effort to, "set an example" on the school bus. Kate said on our last conversation that Thomas has been keeping to himself, listening to his music with his headphones, and she also told me she have given him the opportunity to sit wherever he wanted on the school bus. He decided to stay in his assigned seat. Kate thanked me for the opportunity to participate in this program, and feels it was very helpful.

Thomas completed the requirements of the Accountability Agreement, and the file was closed on December 31, 2013.

### **Evaluations from conference**

Thomas, Anita, and Kate were both satisfied with the program. Kate said she chose to participate in this process because, "I don't want to see a good kid harmed because of a bad/impulsive decision". Thomas said that it was most satisfying that, "We both got to share what we felt."



V. EVALUATION

The RJP has continued to utilize evaluation forms after each conference and all participants are asked to complete it. The numbers of evaluations being turned in are very high and with extremely positive feedback. Lindsey has been very open to hearing from participants, their support systems, referral sources, and community volunteers. We are continuing to evaluate the program and make changes when we see a process can be improved.

VI. REVISIONS NECESSARY

No revisions were necessary this quarter.

VII. PROFESSIONAL DEVELOPMENT

*Trainings Lindsey participated in from October 1, 2013- December 31, 2013*

**Adverse Childhood Experiences: The Past Impacting the Future**

October 4, 2013 - Fargo, ND

The Clay County Collaborative Substance Abuse Problem-Solving work group hosted this event. We heard from Dr. Anda, MD MS. He is one of the primary investigators of the ACE Study. He spoke of the association between childhood maltreatment and later-life health and well-being. The ACE study suggests that certain experiences are risk factors for the leading cause of illness and death as well as poor quality of life in the US, we talked about how it begins as early as conception. Dr. Anda talked about stress and stress neurobiology and how that affects children into adulthood.

**Youth Intervention Program (YIPA)**

October 10, 2013 - St. Paul, MN

This training spoke of Motivational Interviewing, and how it focuses on exploring and resolving ambivalence. Presenter was: Janelle Cheney. She discussed the way to best approach youth, and ways to ask questions when looking for information. Closed vs. Open questions. Also how to build meaningful relationships with the youth we work with.

**International Institute for Restorative Practices (IIRP)**

November 11 – 16, 2013 - Bethlehem, PA

Lindsey was present for the duration of four days to learn the full range of Restorative Practices. The training started each day at 8:00 am, and each day there was a new focus area.

The initial day, was an introduction to Restorative Practices. There was discussion on practical ways to build positive and strong relationships with students, families, clients, employees, and colleagues. She discussed that people are happier, more cooperative and productive, and more likely to make positive changes in their lives when those in positions of authority do things with them rather than to or for them.

The second day the focus was on “Using Circles Effectively”. Circles create an environment that encourages full participation. Through video, practice and discussion, they were able to identify reliable methods for using circles to build community, establish norms and address behavior and relationships.

The third day the main focus was facilitating a Restorative Justice Conference. Instructional videos and in-depth experiential activities were done to teach everyone how to best facilitate a restorative justice conference, in which everyone impacted by wrongdoing can share how they have been affected and have a say in how to repair the harm. This was, for the most part, review.

The final day of the conference the focus was on Family Engagement & Empowerment. They learned how to engage and empower families through formal and informal approaches that help families develop solutions to their own problems. Overall, the training was very educational. The entire training everyone was seated in either large or small-group circles. They learned the importance of using circles for discussion and decision making.

### **RJP Volunteer Training**

December 19, 2013 – Moorhead, MN

Lindsey developed and facilitated a 4-hour training for existing and new community RJ volunteers. Volunteers were provided with a RJ Volunteer Guide created by Lindsey which gave information about restorative justice, the types of processes, and how go about creating the agreement. It was during this training that Lindsey introduced the group to the circle process. The group was able to participate in exercises, watch the “Burning Bridges” video and hear from Joel Frieze (LSSND) about the benefits of conducting a Community Circle.